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work shows accuracy, clearness and fulness of statement. The treatment of the subject of landlord's lien for rent or advances, the negligence of the landlord in general, and the reciprocal rights and obligations of the parties to leases of separate flats or floors in dwelling houses alone makes the book a valuable one for the practitioner. The well arranged index adds to its usefulness, but its appearance is somewhat marred by some typographical errors.

R. T. H.

A TREATISE ON THE LAW OF REAL PROPERTY. By Alfred G. Reeves. In two volumes. Boston: Little, Brown and Company. 1909. pp. cxxiv, 788; pp. v. 788-1588. 8vo.

This work cannot be justified on the ground that there is a pressing demand for any more literature on the general subject with which it deals. As an effort, however, to set forth clearly and concisely for the benefit of the student or lay reader a general outline of the fundamental principles that underlie our modern law of real property, the book will fill a real want. The author has shown excellent discretion in limiting his treatment of the subject. Particular stress is laid on the influence of political and social history on the development of our modern law of real property; and the discussion of the growth and decline of the feudal system is especially interesting.

The arrangement of the book is good and the text simple and clear. The classification of vested remainders under four heads tends to clarify the fine but important distinction between vested and contingent remainders, and is an example of similar treatment of other difficult subjects. The citation of cases is very sparing and for this reason the work may not commend itself so highly to the practicing lawyer, but it clearly was not the intention of the author to compile a digest or burden his text with numerous quotations from decided cases, as some of the recent writers of modern text-books are wont to do. There is considerable reference to the law of New York in the footnotes, but the text is not made less valuable for the student on this account. Altogether the book is a work of real merit even though it cannot be said to be an exhaustive treatment of any branch of the subject.

S. ST. F. T.

HANDBOOK ON THE LAW OF PERSONS AND DOMESTIC RELATIONS. By Walter C. Tiffany. Second Edition by Roger W. Cooley. St. Paul: West Publishing Company, 1909. pp. xiii, 650.

The first edition of this book was admirably planned, and Mr. Cooley has wisely not departed from its arrangement. In fact, the few changes in the subject during the last thirteen years have, generally speaking, reduced his task to an incorporation of recent cases, with the exceptions of material additions to that part of the book dealing with the separate property of married women and the insertion of a section on the extraterritorial effect of divorce. Mr. Cooley's task, as he has outlined it, is, in the main, well done. Although the modern law of married women is largely based on statute, parts still remain untouched by legislation. The common law must constantly be referred to on questions of construction. And also every lawyer should be familiar with its development, because, where the common law of married women has not been altered by legislation, the statutes on the general subject or on other parts of it have had an indirect effect. The action of the legislature often has a "reflex action" on the future mental attitude of the judges. See Smith's Cases on Persons, p. 338. And, moreover, when a statute has removed the reason for a common law rule, does the maxim, "*Cessante ratione cessat ipsa lex*," apply? A large part of Mr. Tiffany's original plan consisted in stating so much of the legislation as had general application, with its interpretation by the courts. All this should be brought down to date. For these reasons the continuation of Mr. Tiffany's work on the law of married women is an absolute necessity. On the subject of infancy, which has not been generally

covered by statute, this necessity is even more apparent. The omissions here noticed are those of the first edition. *Hall v. Butterfield*, 59 N. H. 354, is not cited; nor is attention drawn other than by the mere citation of the case to the elaborate and valuable note to *Craig v. Van Bebber*, 18 Am. State Reports, 569. That note, occupying about one hundred and fifty pages, not only states exhaustively the law of infancy to 1890, but gives at length the writer's own acute comparisons and theories.

J. W.

DIGEST OF THE LAW OF TRUSTS. By W. G. Hart. London: The "Law Notes" Publishing Offices. 1909. pp. xxiv, 464.

In 1908 a bill embodying a code of trusts was introduced in the House of Commons and was referred to a committee, which after a careful sounding of professional opinion concluded that it was impossible to proceed with the bill. The drafter presents it in the above entitled volume, together with notes on which he based the bill. The book is offered as a text-book, but as such it is defective for the same reason for which the proposed bill appears impracticable, namely, that the bill codifies parts of the law of trusts which are clearly settled and therefore least need codifying. Points concerning which there is doubt are either treated rather scantily by the author in his notes or are altogether ignored. American authority is always referred to throughout the book by means of citations of Ames' Cases on Trusts; but the writer has failed in both code and notes to mention many matters which are treated by Dean Ames. Among these are the following: The doctrine of *Ex parte Pye*; the distinction of a trust from an assignment of a chose in action; the trust relation involved in bank collections; the relation of the law of uses to the modern law of trusts; the effect of forgiveness of a debt. The necessity of certainty of the *cestui* is not fully discussed, and in general the notes present no advance on the discussions contained in the standard text-books. The collection of authorities covers only English cases and those not fully.

The proposed code included several English statutes which have defined the duties of trustees, for instance as to investments. The author goes fully into these points, but this portion of the book could hardly be useful to the American trustee or counsel.

R. M. A.

SELECTED STATUTES OF THE STATE OF NEW YORK, as Amended to the Close of the Legislative Session of 1909. By Mathew Bender. Sixth Edition. Albany: Mathew Bender and Company. 1909. pp. v, 457.

THE FIXED LAW OF PATENTS, as established by the Supreme Court of the United States and the nine Circuit Courts of Appeals. By William Macomber. Boston: Little, Brown and Company. 1909. pp. cxlv, 925.

THE EFFECT OF WAR ON CONTRACTS, AND ON TRADING ASSOCIATIONS IN THE TERRITORIES OF BELLIGERENTS. By Coleman Phillipson. London: Stevens and Haynes. 1909. pp. 114.

CONSULAR CASES AND OPINIONS, from the Decisions of the English and American Courts and the opinions of the Attorneys General. By Ellery C. Stowell. Washington: John Byrne and Company. 1909. pp. xxxvi, 811.

INTERNATIONAL INCIDENTS, for Discussion in Conversation Classes. By L. Oppenheim. Cambridge: at the University Press; New York: G. P. Putnam's Sons. 1909. pp. xi, 129.

REPORT OF THE COMMITTEE ON ADMISSIONS OF THE NEW YORK COUNTY LAWYERS' ASSOCIATION. 1909. pp. 24.

DRAWING WILLS AND THE SETTLEMENT OF ESTATES IN PENNSYLVANIA. By John Marshall Gest. Philadelphia: T. & J. W. Johnson Company. 1909. pp. xx, 152.

THE LAWS OF ENGLAND. By the Right Honorable the Earl of Halsbury and other lawyers. In about 20 volumes. Volume IX. London: Butterworth and Company; Rochester: Lawyers' Co-operative Publishing Company; Philadelphia: Cromarty Law Book Company. 1909. pp. clxxx, 794, 47.